

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 08-cv-00898-DME-CBS

DAVID KEVIN WILL,  
  
Plaintiff,

v.

PARSONS EVERGREENE, LLC,  
  
Defendant.

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**ORDER CONTINUING ADMINISTRATIVE CLOSURE**

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On December 19, 2008, the Court, acting pursuant to 9 U.S.C. § 3, stayed this litigation pending arbitration, and then ordered this case administratively closed pursuant to D.C. Colo. LCivR 41.2, “with leave to be reopened for good cause shown.” (Doc. 27 at 12.) The Court further ordered that, “[i]f no action is taken in this case before January 1, 2010, the case will be dismissed without prejudice without any further notice to either party.” (Id.)

This matter is now before the Court on Plaintiff Will’s unopposed motion to reopen this case, filed on December 21, 2009. (Doc. 30.) In support of that motion, Will asserts that the parties will begin mediation this month, as a prelude to arbitration, if necessary. (Id. at 1-2.) Upon consideration of that motion, the Court declines to reopen the case; nor is it dismissed. Instead, the case will remain administratively closed until January 3, 2011, or until such earlier time as the Court receives notice from the parties

that the matter has been resolved. The Court will dismiss the action with prejudice on January 3, 2011, without further notice to the parties, unless the Court, prior to that date, receives a request from the parties to continue the status of the case as administratively closed.

Dated this 4th day of January, 2010.

BY THE COURT:

*s/ David M. Ebel*

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U. S. CIRCUIT COURT JUDGE